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S E C R E T SECTION 01 OF 02 KABUL 000265

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SUBJECT: AIHRC, UNAMA FIND MIX OF CIVILIAN AND INSURGENT
CASUALTIES RESULTING FROM 1/24 LAGHMAN OPERATION

Classified By: DCM Christopher Dell for reasons 1.4 (B) and (D)

¶1. (S/REL ISAF NATO) There are conflicting assessments of the casualties resulting from a January 24 U.S. military operation in Qader Groch village, Laghman Province. The U.S. military said its ground troops and air support killed 15 insurgents. The Afghan government claimed that 16 civilians including many women and children were killed. The generally respected Afghanistan Independent Human Rights Commission's (AIHRC) preliminary investigation concludes there were 14 casualties: 11 insurgents and three civilians. AIHRC is still investigating and does not expect to publicly release its findings for at least a month. UNAMA is also investigating the incident; its initial findings are 10 insurgent and six civilian casualties. A joint U.S. military-Afghan government investigation into the incident is underway. This investigation was initially thwarted by a series of demonstrations by local residents whose rock throwing injured one U.S. servicemember and one Afghan police officer.

¶2. (C) In its January 25-26 investigation, AIHRC interviewed government officials, local residents, and hospital staff, and also collected physical evidence such as bullet casings. Laghman officials told the AIHRC team the individuals killed had engaged in hostile activities only after they observed U.S. forces kill two civilians. AIHRC investigators characterized this evidence as "highly questionable," and will not support it without exceptionally well-documented confirmation. The National Directorate of Security (NDS) provincial chief confirmed to AIHRC the presence of Taliban and foreign Arab fighters in the area. Community members told the team the majority of those killed were armed and engaged in fighting but echoed the officials' claim that these people started fighting only after observing civilian deaths.

¶3. (C) The Laghman deputy governor asked AIHRC not to send investigators to the actual site due to a hostile community reaction to the incident and Taliban presence in the area. Thus, AIHRC staff conducted the majority of its interviews in the proximity of the village. However, AIHRC did send one staffer to the site and will share his findings with us soon.

¶4. (C) UNAMA is also conducting an investigation: preliminary results are 10 insurgent and six civilian casualties. Extracting credible information from locals is difficult as the fighting took place in an insurgent controlled area, UNAMA staff said. UNAMA staff claimed that in these situations, locals routinely tell investigators what they think the insurgents would want them to say. In one example of inconsistencies in reports from Qader Groch residents, witnesses told UNAMA investigators that 23 residents were injured in the operation. UNAMA, however, was unable to corroborate the reports and no one from the village had been

treated at the district hospital up to several days after the operation. UNAMA's investigation is ongoing, and there is no immediate plan to release its findings publicly.

15. (S/REL ISAF NATO) Insurgents routinely coerce Afghan civilians to corroborate accusations of civilian casualties following successful coalition operations. Insurgents also use national and international media outlets to perpetuate false accusations of civilian deaths. In addition, Taliban commanders often plan to report civilian casualties prior to undertaking operations against coalition elements. Some parties have also claimed that insurgents killed in fighting were civilians, in order to discredit the government and to collect the Salatia payments.

16. (C) Media outlets reported Laghman residents vigorously protested the casualties, chanting anti-U.S. slogans and throwing stones at the Laghman governor as he attempted to placate the crowd by inviting protest leaders to a discussion with U.S. military officials. U.S. military officials estimated 300 residents participated in the protest.

17. (C) Comment. Given the difficulties inherent in distinguishing combatants from non-combatants in an insurgency it is unlikely that it will ever prove possible to resolve the discrepancies in these reports to everyone's satisfaction. It is clear, however, that the Taliban have developed a successful strategy for exploiting these incidents against us. In this they are abetted by President Karzai, whose increasingly vocal and emotional public complaints fuel growing Afghan dissatisfaction with coalition forces operations and undermine support for our presence.

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